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6 Attorneys for Plaintiff
United States of America
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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 MICHAEL GARCIA, and
NANCY DALILA GARCIA ESCOBAR,
15 Defendants.
16

CASE NO. 2:20-cr-00181-JAM

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

DATE: December 12, 2023
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

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18 **STIPULATION**

19 1. By previous order, this matter was set for status on December 12, 2023. ECF No. 121.

20 2. By this stipulation, defendants now move to continue the status conference until

21 **February 27, 2024, at 09:00 a.m.**, and to exclude time between December 12, 2023, and February 27,
22 2024, under Local Code T4.

23 3. The parties agree and stipulate, and request that the Court find the following:

24 a) The government has represented that the discovery associated with this case
includes over 50 gigabytes of evidence in electronic form, including multiple hours of covert
25 recordings, pictures, investigative reports, and related documents. All of this discovery has been
26 either produced directly to counsel and/or made available for inspection and copying.
27

28 b) Counsel for defendants require additional time to review the discovery,

1 investigate any possible defenses, research potential pretrial motions, explore potential
2 resolutions to the case, and otherwise prepare for trial. The parties are continuing their efforts on
3 plea negotiations. Finally, counsel for defendants need additional time to prepare mitigation
4 materials.

5 c) Counsel for defendants believes that failure to grant the above-requested
6 continuance would deny them the reasonable time necessary for effective preparation, taking into
7 account the exercise of due diligence.

8 d) The government does not object to the continuance.

9 e) Based on the above-stated findings, the ends of justice served by continuing the
10 case as requested outweigh the interest of the public and the defendant in a trial within the
11 original date prescribed by the Speedy Trial Act.

12 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
13 et seq., within which trial must commence, the time period of December 12, 2023 to February
14 27, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
15 Code T4] because it results from a continuance granted by the Court at defendant's request on
16 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
17 best interest of the public and the defendant in a speedy trial.

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1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

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6 Dated: December 5, 2023

PHILLIP A. TALBERT
United States Attorney

8 _____
9 /s/ ADRIAN T. KINSELLA
ADRIAN T. KINSELLA
Assistant United States Attorney

10 Dated: December 5, 2023

11 _____
12 /s/ HOOTAN BAIGMOHAMMADI
HOOTAN BAIGMOHAMMADI
Counsel for Defendant
MICHAEL GARCIA

13
14 Dated: December 5, 2023

15 _____
16 /s/ MICHAEL D. LONG
MICHAEL D. LONG
Counsel for Defendant
NANCY GARCIA

17 **ORDER**

18 IT IS SO FOUND AND ORDERED.

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20 Dated: December 06, 2023

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22 /s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE